

REMARKS

In the Office Action, claims 15-42 were rejected under 35 U.S.C. 112, ¶1. Although applicants disagree with this rejection, the claims have been amended. With respect to the new language, separate adjustment of the channels is supported, such as by, Figure 5b elements 552-555.

In the Office Action, claims 15-42 were rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,604,730 (Tiedemann) in view of US 5,621,723 (Walton). Applicants respectfully disagree with this rejection.

Tiedemann does not disclose transmitting a traffic and a control channel by a subscriber unit at all. Tiedemann recites at column 2, line 65-67 "Closed loop power control is possible in a typical communication system since there is one traffic channel per mobile radio." The only disclosure of a traffic and a mobile power control sub-channel is in Figure 7, which is the forward link channel. The forward link channel is not transmitted by the base station, but is received by the base station. For the reverse link in Figure 8, no control channels are shown.

Tiedemann also does not disclose separately adjusting the traffic and control channel and adjusting both by the same bits. Tiedemann does refer to controlling a transmission power level of multiple mobile radios at column 6, line 55 to column 7, line 40. Applicants first submit that controlling multiple mobile radios is not the same as controlling a control and traffic channel from a subscriber unit. Furthermore, Tiedemann does not disclose controlling a control and traffic channel separately and using the same bits at a subscriber unit. Accordingly, applications respectfully submit that the claims are allowable.

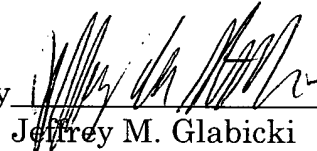
Applicants: Lomp et al.
Application No.: 10/084,007

Reconsideration and entry of this amendment is respectfully requested.

Respectfully submitted,

Lomp et al.

By



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